



## Montgomery County Department of Permitting Services

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<http://www.montgomerycountymd.gov/dps>



# Montgomery County- Maryland Driveway Construction Policy

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## Driveway Construction Permit

A Right of Way (ROW) Permit is required for the construction of a residential or commercial driveway; installation of a temporary construction entrance; restoration, repair, removal and/or modification of any existing driveway.

A driveway apron is defined as a paved area that is placed between the roadways edge and the property line. Any person who owns land abutting a public street or accessing (through the use of an easement), that desires to construct a driveway apron from the curb line to the lot line may do so only after obtaining a permit from the Montgomery County Department of Permitting Services.

## Construction Specifications

1. **Standards:** Driveways shall be constructed according to Montgomery County Design Standards and shall incorporate all applicable ADA requirements as stipulated in the most current PROWAG to ensure that pedestrians and other users can safely traverse the driveway entrance where it intersects the sidewalk area within the public right of way.
2. **Construction Type:** All Driveways shall be paved (Asphalt or concrete) from the edge of roadway pavement to the property line, the paved section shall be in conformity with the other driveways in the neighborhood, unless approved by DPS with a Revocable Agreement signed by the property owner and recorded in the Montgomery County Land Records.
3. **Maintenance:** Construction and maintenance of driveway entrances on public streets is the responsibility of the property owner who uses the entrance.
4. **Minimum Width:** All residential entrances must be constructed in accordance with County standards with a minimum width of 10 feet and a maximum width of 20ft, unless restricted by the certified site plan approved by the Montgomery County Planning Commission
5. **Driveway Location:** The placement of a driveway entrance for a single-family residence shall comply with greater of the following requirements, unless restricted by the certified Site Plan or the recorded Record Plat:

### Driveways near street intersections

- i. Shall not be placed any closer than thirty-five feet (35') from the point of intersection (PI) of the projected extension of the existing or proposed face of curb of the two streets
- ii. Shall not be placed any closer than twenty-five feet (25') from the point of tangent (PT) or point of curvature (PC) of an existing or proposed curb return

- iii. No portion of a driveway entrance shall be placed any closer than twenty feet (20') to the point-of-intersection of the property line fillet of an existing or proposed lot
  - iv. No portion of a driveway entrance shall be placed within an existing or proposed curb return.
- 6. **Corner Lot:** A driveway entrance shall be placed on the street frontage with the lowest road classification. If both streets have the same roadway designation the entrance shall be placed on the one considered to be the minor street.
- 7. **Number of Entrances:** The number of permitted driveway entrances that may be constructed on a single-family lot is restricted to one. An exception may be granted for a circular driveway entrance where
  - a. A residence's frontage is located on an arterial or neighborhood principal street, and it can be demonstrated that a second entrance shall eliminate the need for reversing onto or from the roadway.
  - b. The minimum separation between two driveway entrances shall be Forty feet (40') measured at the property line.
- 8. **Sight Distance:** All Driveway entrances are subject to a proper sight Distance evaluation based upon the American Association of State Highway and Transportation Officials (AASHTO) guidelines.
- 9. **Commercial Driveway Entrance:** The placement of a driveway entrance for Commercial, Mixed-Use, High-Rise or any other developments shall be in accordance with the certified site plan, approved by Montgomery County Planning Board. At the discretion of the Department of Permitting Services in consultation with the Department of Transportation an exception may be granted by for additional driveway entrances on a project by project basis. All driveway entrances shall be constructed according to Montgomery County Design Standards and shall incorporate all applicable ADA requirements as stipulated in the most current PROWAG
- 10. **Roadside Trees:** A roadside tree protection plan must be submitted with the ROW permit application if the critical root zone of a tree located in the public right of way will be impacted by the proposed work. Critical root zone is a radius of 1.5' per inch trunk diameter around the tree. Driveway width may be minimized to limit impacts to a roadside tree. Permit applications for circular driveways may be denied if it impacts a roadside tree.
- 11. **Traffic Control Plan:** If the proposed driveway is on roadway with Arterial or higher classification (80' wide right-of-way or greater), the roadway is in the Central Business District (Wheaton, Bethesda and Silver Spring), and/or needs sidewalk closure for longer than 15 days, the applicant must also submit a site specific Temporary Traffic Control Plan (TTCP). The TTCP is reviewed and approved by the Division of Traffic Engineering and Operations section of the Montgomery County Department of Transportation (MCDOT). DPS may also require a site-specific TCP if deemed necessary.